

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

VICKI MORGAN-HICKS,
Administratrix of the Estate
Of Denzel Morgan,

Plaintiff

v.

NEW JERSEY DEP'T OF CORR.,
et al.,

Defendants

Civ. No. 17-655 (RMB-JS)

OPINION

BUMB, United States District Judge

On April 24, 2020, this Court granted Defendants Sgt. Peter Tambini, Sergeant George Goldner, Corrections Officer Giovanni Nieves, Corrections Officer Matthew Canto and Corrections Officer John Jaquez's ("Defendants") Motion for Summary Judgment. (Opinion, Dkt. No. 63; Order, Dkt. No. 64.) The sole defendants remaining in his action are Steven Walker and John Does 1-15, who were never served with the amended complaint. Thus, the Court ordered Plaintiff to show cause why the remaining claims should not be dismissed for failure to prosecute. (Order, Dkt. No. 64). Plaintiff responded that she is no longer pursuing the claims against Steven Walker and the John Doe Defendants. (Letter, Dkt. No. 65.) Given that the parties were never served and Plaintiff

does not wish to pursue these claims, no prejudice will result from dismissing the claims with prejudice. Therefore, the Court will dismiss the claims against Walker and John Does 1-15 pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

An appropriate Order follows.

DATE: June 23, 2020

s/Renée Marie Bumb

RENÉE MARIE BUMB

United States District Judge